

Claim Objections

The Examiner objected to claims 23-26 and 28-31 as requiring the phrase "The system" should be changed to --A computer component rack--. Applicants point out that the parent independent claims 22 and 27 recite "A computer component rack mounting system." (underline added). The objected dependent claims are drawn to a "system" and not merely to the rack. Therefore, the respective dependent claims properly recite the "system" of their respective parent claims. Making the suggested changes may unnecessarily create antecedent basis issues. Applicants respectfully request the Examiner to withdraw the objections.

35 U.S.C. 112 Rejections

Claims 23-31 are rejected under 35 U.S.C. 112, second paragraph. According to the Office Action, claims 23 and 28 were rejected because the claims seek to define the rail height based on a comparison to an "unclaimed and undefined element" of 'a computer component enclosure' that is 'otherwise not part of the claimed invention.'

As to the Examiner's position that the term "computer component enclosure" is undefined, the words of a claim must be given their "plain meaning" unless they are defined in the specification. "Plain meaning" refers to the meaning given to the term by those of ordinary skill in the art. (MPEP 2111.01, February, 2000). First, the element, 'a computer component enclosure,' is recited in claim 23 (see claim 23, line 3) and is an element of independent claim 27 (see claim 27, line 2). Therefore, dependent claim 28 properly recites the claimed element. Second, Applicants submit that the term 'a computer component enclosure' has a plain meaning to those of ordinary skilled in the art and that the term means just that: a computer component enclosure. Furthermore, the very purpose of a dependent claim, such as claim 23, is to introduce additional features as compared to its parent claim. The statement in the Office Action that a "computer component enclosure" is unclaimed is therefore improper.

Claim 25 is rejected as supposedly being incomplete because it omits the necessary structural cooperative relationship between the enclosure and the previously recited elements. Applicants draw the Examiner's attention to lines 2-3 of the claim, wherein "a computer enclosure . . . disposed closely above the outer left rail . . ." (underline added) clearly defines the necessary structural cooperative relationship between the enclosure and the previously recited element—the outer left rail. The structural relationship between the two elements is further defined in lines 4-5 of the claim.

Regarding the objection to claims 26 and 31, those claims have been amended to remove the informality arising out of usage of the word “or.”

Claim 27 was rejected as allegedly being unclear as to how many outer and inner rails are being set forth for each side of the computer component enclosure and the respective side of the enclosure. A reading of claim 27 shows that the left side has three rails: (i) an outer left slide rail, (ii) an inner fixed left slide rail, and (iii) a left support rail (claim 27, lines 3, 7, and 11 respectively). Similarly, the right side has three rails: (i) an outer right slide rail, (ii) an inner fixed right slide rail, and (iii) a right support rail (claim 27, lines 5, 9, and 12 respectively). Their structural connections are properly defined within the claim. Applicants respectfully point out that the Examiner may have misinterpreted the left extension (of the computer component enclosure) as the outer left rail, and likewise the right extension (of the computer component enclosure) as the outer right rail.

In view of at least the above reasons, Applicants respectfully request the Examiner to withdraw the rejections under 35 U.S.C. 112, second paragraph.

§ 102(b) Rejections

Claims 22, 23, 25, 27, 28, and 30 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Good et al. (U.S. 5,571,256), a commonly-assigned patent. These rejections are respectfully traversed.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single reference.¹ Furthermore, the identical invention must be shown in as complete detail as is contained in the claim.²

Applicants submit that Good et al. fails to disclose each and every element of Applicants' claimed subject matter and respectfully request the Examiner to withdraw the rejections.

Good et al. Fail to Disclose Inner Fixed Slide Rails Positioned Between Front and Back Vertical Rack Members

The Office Action characterizes a slide structure 44 as inner fixed slide rails positioned between front and rear support channels 14a and 14b. Applicants strongly traverse that characterization in that the slide structure 44 is not “substantially between” the support channels 14a and 14b. Claim 22 has been amended to substitute “substantially between” in

¹ *Glaverzel Societe Anonyme v. Northlake Marketing & Supply, Inc.*, 75 F.3d 1550, 1554 (Fed. Cir. 1999); *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987).

place of “between.” When the inner fixed slide rails are substantially between the front and back vertical members, the front and back vertical rack members are horizontally aligned with the inner slide rails to conceal the width of the inner slide rails. As a result, the inner slide rails are disposed outwardly of extensions of the computer component rack mounting system, which would otherwise be occupied by the inner slide rails, can be used to accommodate a wide computer component enclosure. For example, the additional width available for the computer component enclosure thus achieved is represented by the reference numeral 176 in Applicant’s Figure 9. One advantage of a wider computer component enclosure is that more PC cards can be placed within the computer component enclosure.

As can also be seen from Figure 9, reducing the height profile 178 of the inner slide rails 106 creates space for a deeper computer component enclosure 12. Aside from improved space efficiency, one advantage of a deeper computer component enclosure 12 is that a side opening can be lower in the computer component enclosure 12 allowing for easier service access to PC cards in the enclosure 12. The computer component 40 shown in Figure 2 within the computer component enclosure 12 helps to make this point.

yl Figure 3 For these reasons, Applicants submit that Good et al. fail to disclose inner fixed slide rails positioned between front and back vertical rack members in the advantageous manner of Applicants’ subject matter in claim 22 and its depending claims.

Neither The Longitudinal Intermediate Part Nor The Conventional Telescoping Slide Structure Of Good Et Al. Are The Inner Fixed Left And Right Slide Rails

The Office Action relies upon Good somewhat inconsistently. For example, the Office Action, in rejecting claims 27, 28, and 30, identified the element having numeral 50 in Good et al. as “inner fixed left and right slide rails” of the Applicants’ claimed subject matter. (Office Action, page 4, first complete paragraph, line 5). For the same paragraph, the Office Action identifies the element having the reference numeral 44 as also being the “inner fixed left and right slide rails.” (Office Action, page 4, first complete paragraph, line 8.) In a similar inconsistent fashion, in rejecting claims 22, 23 and 25, the Office Action identified the same elements, i.e., “inner fixed left and right slide rails” of the Applicants’ claimed subject matter with element having numeral 44 in Good et al. (Office Action, page 3, last paragraph, lines 4-8). Good et al. describe the element identified with numeral 50 as a

² *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

“longitudinally intermediate portion of the conventional telescoping slide structure” (Col. 5:14), and the element identified with numeral 44 as “the conventional telescoping slide structure” (Col. 5:12; and 6:44). As such, element 50 is a portion of element 44. Neither element in Good constitutes an inner fixed left slide rail on an inner fixed right slide rail. The Office Action impermissibly relies upon a single element in Good (either 44 or 50) as disclosing two distinctly claimed elements – an inner fixed left slide rail and an inner fixed right slide rail.

A Bracket Is Not A Rail

In rejecting claims 22, 23 and 25, the Office Action identified the element having numeral 52 in Good et al. as the left support rail and the right support rail of the Applicants' claimed subject matter. Good et al. identify the same element as a slide support bracket 52. (Col. 5:21-24; 5:14-15; 5:17; and 5:48.) Applicants respectfully submit that a bracket has a well-defined meaning in the mechanical arts that is generally understood by those of ordinary skill in the art as an L-shaped support structure. Also, a rail is a reasonably well-defined structure in the mechanical arts that is well understood by those of ordinary skill in the art. Good et al. further define the element 52 as, in stating, “the body portion of the slide support bracket 52 is defined along its length by a vertical base wall 54, and a pair of flange portions 56 and 58 projecting horizontally inwards from the top and bottom side edges of the base wall 54.” (Col. 5:21-24).

In contrast, Applicants describe examples of the rail assemblies in the specification at page 8:15-21. Applicants' left support rail 46 (Fig. 4) and the right support rail 50 are in no way same as brackets 52 of Good et al. Applicants respectfully submit that a bracket and a rail are distinctly different structures as understood by those of ordinary skill in the mechanical arts. For that reason, claims 22, 23 and 25 are distinguishable over Good et al.

§ 103(a) Rejections

Dependent claims 24, 26, 29, and 31 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Good et al. as applied to claims 22, 23, 25, 27, 28, and 30 and further in view of Fall et al. (U.S. 3,687,505). These rejections are respectfully traversed. Applicants believe that, in view of the above remarks, independent claims 22 and 27 are allowable and, therefore the dependent claims are allowable. In addition, with respect to claims 26 and 29, a support rail with an upper support rail portion containing an upper set of apertures longitudinally symmetric with a lower set of apertures of a lower support rail

portion are distinctly advantageous in that the support rails are interchangeable and, therefore, result in cost reductions and efficient assembly. Figure 4 of Applicants' Specification is helpful for understanding the nature of this feature. The support rails 46 and 50 both include upper and lower support rail regions ("first and second mounting regions 70 and 72) that contain a set of apertures 76. As can be seen, the upper set of apertures on a support rail 46 or 50 is longitudinally symmetric with respect to the lower set of apertures on the support rail 46 or 50. Due to this design of the support rails 46 and 50, the support rails 46 and 50 are interchangeable. In this way, the number of different parts of a computer component rack mounting system are reduced.

CONCLUSION

For the foregoing reasons, Applicants submit that the application stands in condition for allowance. Withdrawal of the rejections and allowance of the claims is respectfully requested.

Respectfully submitted,



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ATTACHMENT A

Cleaned-Up Version of Amended Claims (as of 10/18/01)

22. (Once Amended) A computer component rack mounting system, comprising:

- front and back left vertical rack members;
- front and back right vertical rack members;
- a left support rail fixed to the front and back left vertical rack members;
- an inner fixed left slide rail secured to the left support rail and positioned substantially between the front and back left vertical rack members;
- an outer left slide rail for mutually engaging and sliding within the inner fixed left slide rail;
- a right support rail fixed to the front and back right vertical rack members; and
- an inner fixed right slide rail secured to the right support rail and positioned substantially between the front and back right vertical rack members; and
- an outer right slide rail for mutually engaging and sliding within the inner fixed right slide rail.

26. (Once Amended) The system of claim 22, wherein the left support rail is attached to the inner fixed left slide rail at an upper portion of the left support rail if the right support rail is attached to the inner fixed right slide rail at a lower portion of the right support rail, and wherein the left support rail is attached to the inner fixed left slide rail at a lower portion of the left support rail if the right support rail is attached to the inner fixed right slide rail at an upper portion of the right support rail, the left support rail includes an upper set of apertures for receiving fasteners to attach the inner fixed left slide rail to the upper portion of the left support rail, the right support rail includes an upper set of apertures for receiving fasteners to attach the inner fixed right slide rail to the upper portion of the right support rail, the left support rail further includes a lower set of apertures for receiving fasteners to attach the inner fixed left slide rail to the lower portion of the left support rail, the right support rail further includes a lower set of apertures for receiving fasteners to attach the inner fixed right slide rail to the lower portion of the right support rail, the left support rail is longitudinally symmetric with respect to its upper set of apertures and lower set of apertures, and the right support rail is longitudinally symmetric with respect to its upper set of apertures and lower set of apertures.

30. 31. (Once Amended) The system of claim 27, wherein the left support rail is attached to the inner fixed left slide rail at an upper portion of the left support rail if the right support rail

is attached to the inner fixed right slide rail at a lower portion of the right support rail, and wherein the left support rail is attached to the inner fixed left slide rail at a lower portion of the left support rail if the right support rail is attached to the inner fixed right slide rail at an upper portion of the right support rail, the left support rail includes an upper set of apertures
5 for receiving fasteners to attach the inner fixed left slide rail to the upper portion of the left support rail, the right support rail includes an upper set of apertures for receiving fasteners to attach the inner fixed right slide rail to the upper portion of the right support rail, the left support rail further includes a lower set of apertures for receiving fasteners to attach the inner fixed left slide rail to the lower portion of the left support rail, the right support rail further
10 includes a lower set of apertures for receiving fasteners to attach the inner fixed right slide rail to the lower portion of the right support rail, the left support rail is longitudinally symmetric with respect to its upper set of apertures and lower set of apertures, and the right support rail is longitudinally symmetric with respect to its upper set of apertures and lower set of apertures.

ATTACHMENT B

Marked-Up Version Of Amended Claims (as of 10/18/01)

22. (Once Amended) A computer component rack mounting system, comprising:
front and back left vertical rack members;
front and back right vertical rack members;
a left support rail fixed to the front and back left vertical rack members;
5 an inner fixed left slide rail secured to the left support rail and positioned substantially between the front and back left vertical rack members;
an outer left slide rail for mutually engaging and sliding within the inner fixed left slide rail;
a right support rail fixed to the front and back right vertical rack members; and
10 an inner fixed right slide rail secured to the right support rail and positioned substantially between the front and back right vertical rack members; and
an outer right slide rail for mutually engaging and sliding within the inner fixed right slide rail.

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26. (Once Amended) The system of claim 22, wherein the left support rail is attached to the inner fixed left slide rail at an upper portion [or lower portion] of the left support rail[,] if the right support rail is attached to the inner fixed right slide rail at [an upper portion or] a lower portion of the right support rail, and wherein the left support rail is attached to the inner fixed left slide rail at a lower portion of the left support rail if the right support rail is attached to the inner fixed right slide rail at an upper portion of the right support rail, the left support rail includes an upper set of apertures for receiving fasteners to attach the inner fixed left slide rail to the upper portion of the left support rail, the right support rail includes an upper set of apertures for receiving fasteners to attach the inner fixed right slide rail to the upper portion of the right support rail, the left support rail further includes a lower set of apertures for receiving fasteners to attach the inner fixed left slide rail to the lower portion of the left support rail, the right support rail further includes a lower set of apertures for receiving fasteners to attach the inner fixed right slide rail to the lower portion of the right support rail, the left support rail is longitudinally symmetric with respect to its upper set of apertures and lower set of apertures, and the right support rail is longitudinally symmetric with respect to its upper set of apertures and lower set of apertures.

31. (Once Amended) The system of claim 27, wherein the left support rail is attached to the inner fixed left slide rail at an upper portion [or lower portion] of the left support rail[,] if the right support rail is attached to the inner fixed right slide rail at [an upper portion or] a lower portion of the right support rail, and wherein the left support rail is attached to the inner fixed left slide rail at a lower portion of the left support rail if the right support rail is attached to the inner fixed right slide rail at an upper portion of the right support rail, the left support rail includes an upper set of apertures for receiving fasteners to attach the inner fixed left slide rail to the upper portion of the left support rail, the right support rail includes an upper set of apertures for receiving fasteners to attach the inner fixed right slide rail to the upper portion of the right support rail, the left support rail further includes a lower set of apertures for receiving fasteners to attach the inner fixed left slide rail to the lower portion of the left support rail, the right support rail further includes a lower set of apertures for receiving fasteners to attach the inner fixed right slide rail to the lower portion of the right support rail, the left support rail is longitudinally symmetric with respect to its upper set of apertures and lower set of apertures, and the right support rail is longitudinally symmetric with respect to its upper set of apertures and lower set of apertures.